

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SONIA MCCARTHY,)	
)	
Plaintiff,)	
)	
v.)	No. 11 C 1527
)	
NATIONAL RAILROAD PASSENGER)	
CORPORATION, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

One of the two defendants in this personal injury action (the Illinois municipal corporation commonly known as "Metra"), which had previously failed to comply with this District Court's LR 5.2(f) calling for delivery of paper copies of all filings to the assigned judge's chambers, has just now delivered a counterpart of Metra's March 24, 2011 Answer to the Complaint filed by Sonia McCarthy ("McCarthy"). This Court's review of that pleading has triggered this memorandum order.

Complaint Count I charges Metra with negligence that was assertedly a proximate cause of the injuries claimed by McCarthy as the result of the incident she sets out in the Complaint. Part of Metra's response is its Second Affirmative Defense, which asserts that McCarthy's claim against it is preempted by two federal statutes. If that is indeed so, Metra should presumably be dismissed as a defendant. Accordingly both McCarthy's counsel and Metra's counsel are ordered to provide this Court with brief memoranda on that subject on or before August 15, 2011, so that

this Court can address the subject.

A handwritten signature in cursive script, reading "Milton I. Shadur".

Milton I. Shadur
Senior United States District Judge

Date: August 3, 2011